



[63 FR 13330, Mar. 19, 1998, as amended at 68 FR 25485, May 13, 2003]

**§ 56.37 Lot marking of officially identified product.**

Each carton identified with the grademarks shown in § 56.36 shall be legibly lot numbered on either the carton or the consumer package. The lot number shall be the consecutive day of the year on which the eggs were packed (e.g., 132), except other lot numbering systems may be used when submitted in writing and approved by the Administrator.

[35 FR 5664, Apr. 8, 1970. Redesignated at 42 FR 32514, June 27, 1977, as amended at 46 FR 39570, Aug. 4, 1981. Redesignated at 46 FR 63203, Dec. 31, 1981, as amended at 60 FR 12402, Mar. 7, 1995; 63 FR 13331, Mar. 19, 1998]

EFFECTIVE DATE NOTE: At 69 FR 76376, Dec. 21, 2004, § 56.37 was amended by revising the heading and the first sentence, effective January 20, 2005. For the convenience of the user, the revised text is set forth as follows:

**§ 56.37 Lot marking of officially identified shell eggs.**

Shell eggs identified with the grademarks shown in § 56.36 shall be legibly lot numbered on either the individual egg, the carton, or the consumer package. \* \* \*

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**§ 56.38 [Reserved]**

PREREQUISITES TO PACKAGING SHELL EGGS IDENTIFIED WITH CONSUMER GRADEMARKS

**§ 56.39 Quality assurance inspector required.**

The official identification of any graded product as provided in §§ 56.35 to 56.41, inclusive, shall be done only under the supervision of a grader or quality assurance inspector. The grader or quality assurance inspector shall have supervision over the use and handling of all material bearing any official identification.

[42 FR 2971, Jan. 14, 1977. Redesignated at 42 FR 32514, June 27, 1977, as amended at 46 FR 39570, Aug. 4, 1981. Redesignated at 46 FR 63203, Dec. 31, 1981]

EFFECTIVE DATE NOTE: At 69 FR 76376, Dec. 21, 2004, the first sentence in § 56.39 was revised, effective January 20, 2005. For the convenience of the user, the revised text is set forth as follows:

**§ 56.39 Quality assurance inspector required.**

The official identification with the grademark of any product as provided in §§ 56.35 to 56.41, inclusive, shall be done only under the supervision of a grader or quality assurance inspector. \* \* \*

**§ 56.40 Grading requirements of shell eggs identified with consumer grademarks.**

(a) Shell eggs to be identified with the grademarks illustrated in § 56.36 must be individually graded by a grader or by authorized personnel pursuant to § 56.11 and thereafter check graded by a grader.

(b) Shell eggs not graded in accordance with paragraph (a) of this section may be officially graded on a sample basis and the shipping containers may be identified with grademarks which contain the words "Sample Graded" and which are approved by the Administrator.

(c) Shell eggs which are to bear the U.S. consumer grademark shall be